

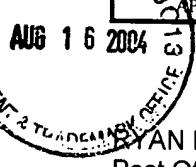
8/18/04

T FW



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov



APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/828,359	04/17/2004	Tom Westberg	F-5495 DIV

RYAN KROMHOLZ & MANION, S.C.  
 Post Office Box 26618  
 MILWAUKEE, WI 53226

CONFIRMATION NO. 4891  
 FORMALITIES LETTER



\*OC000000013105177\*

Date Mailed: 06/29/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

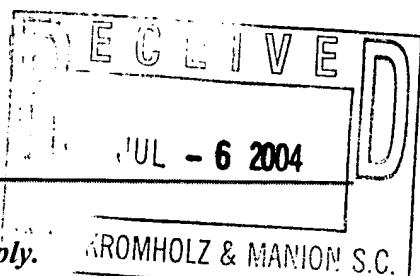
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450



*A copy of this notice **MUST** be returned with the reply.*

KROMHOLZ & MANION S.C.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
Attorney Docket No. 0360-0172.01 (F-5495 DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
Tom Westberg )  
Mark Vandlik )  
Rohit Vishnoi )  
Serial No.: 10/828, 359 )  
Filed: April 20, 2004 )  
Group Art No.: Not Yet Assigned )  
Examiner: Not Yet Assigned )  
For: FLUID PRESSURE ACTUATED )  
BLOOD PUMPING SYSTEMS AND )  
METHODS WITH CONTINUOUS )  
INFLOW AND PULSATILE OUTFLOW )  
CONDITIONS )

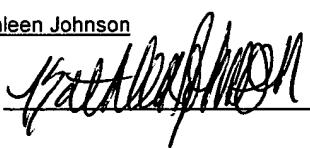
CERTIFICATE OF MAILING BY "EXPRESS  
MAIL"

"Express Mail" Mailing Label No.:  
EV459448735US

Date of Deposit August 17, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

NAME Kathleen Johnson

SIGNATURE 

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice To File Missing Parts Of Non-Provisional Application mailed June 29, 2004, enclosed are the following:

1. Copy of Declaration of Tom Westberg, Mark Vandlik, and Rohit Vishnoi filed in parent application serial number

09/390,265 filed September 3, 1999. The present application is a division of such parent application.

2. Copy of the Notice to File Missing Parts of Application (Part 2).

3. A check in the amount of \$130.00 is enclosed for the Declaration surcharge fee (\$130.00).

Please charge deposit account no. 50/1039 for any fee deficiency. (A duplicate copy of this letter is enclosed).

Respectfully submitted,



Gary W. McFarron, Esq.  
Registration No. 27,357

Cook, Alex, McFarron, Manzo,  
Cummings & Mehler, Ltd.  
200 West Adams St., Suite 2850  
Chicago, IL 60606  
Telephone: (312) 236-8500

Attorneys for Applicant



PATENT  
Attorney Docket No. 0360-0172.01 (F-5495 DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Tom Westberg

Mark Vandlik

Rohit Vishnoi

Serial No.: 10/828,359

Filed: April 20, 2004

Group Art No.: Not Yet Assigned

Examiner: Not Yet Assigned

For: FLUID PRESSURE ACTUATED  
BLOOD PUMPING SYSTEMS AND  
METHODS WITH CONTINUOUS  
INFLOW AND PULSATILE OUTFLOW  
CONDITIONS

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS  
MAIL"

"Express Mail" Mailing Label No.:

EV459448735US

Date of Deposit August 17, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

NAME Kathleen Johnson

SIGNATURE Kathleen Johnson

Certificate of Mailing Under 37 CFR 1.10

I hereby certify that the correspondence listed below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, **Label No. EV 459448735 US** under 37 CFR 1.10 on July 28, 2004 and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Request for Correction of Filing Receipt (2 sheets);
2. Copy of Corrected Filing Receipt (2 sheets);
3. Response to Notice to File Missing Parts of Non-Provisional Application in duplicate (4 sheets);
4. Copy of Declaration filed in parent application serial number 09/390,265 filed September 3, 1999 (5 sheets);
5. Copy of the Notice to File Missing Parts of Application -Part 2 (2 sheets);
6. Check number 17820 in the amount of \$130.00 for Declaration Surcharge Fee (\$130.00)
7. Certificate of Mailing (2 sheets); and

7. Return Receipt Postcard.

Name: Kathleen Johnson

Signature: Kathleen Johnson